

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

ALOFT MEDIA, LLC,

Plaintiff,

v.

COMPUWARE CORP., *et al.*,

Defendants.

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Civil Action No. 6:10-CV-256

JURY TRIAL DEMANDED

**PLAINTIFF'S VOLUNTARY DISMISSAL WITH PREJUDICE
OF DEFENDANT NETSUITE, INC. UNDER FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and a settlement agreement between Plaintiff Aloft Media, LLC ("Aloft") and Defendant NetSuite, Inc. ("NetSuite"), Aloft files this notice of voluntary dismissal, with prejudice, of its action against NetSuite only. To date, NetSuite has not served an answer to Aloft's Original Complaint for Patent Infringement or a motion for summary judgment.

Aloft and NetSuite will each bear its own costs, expenses and legal fees.

This dismissal does not affect any other named defendants.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 16th day of August 2010.

A handwritten signature in black ink, appearing to read "Eric M. Albritton", written over a horizontal line.

Eric M. Albritton